



Speech by

Miss FIONA SIMPSON

MEMBER FOR MAROOCHYDORE

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POLICE POWERS AND RESPONSIBILITIES AND ANOTHER ACT AMENDMENT BILL

Miss SIMPSON (Maroochydore—NPA) (4.43 p.m.): I welcome the Police Powers and Responsibilities and Another Act Amendment Bill, and I acknowledge that this minister has acted to bring these laws before the House. I have been calling for confiscation as another option to be an added tool in the arsenal to address this very serious issue for some time, because even with increases in fines and the loss of one's licence—there have been substantial incidences of these—the problem has continued to be a severe aggravation in my community and other communities across Queensland. My only criticism is the delay in this legislation coming before the parliament. It is a crying shame that it finally took a visit to Mooloolaba on the Sunshine Coast during CHOGM to spur the current Police Minister into action on this issue. This issue has been the subject of deputations and complaints not only from the Sunshine Coast but also from the Gold Coast, Brisbane and other parts of Queensland.

I acknowledge that Minister McGrady has acted to bring the legislation forward while his immediate predecessor, Tom Barton, did not. I met with Minister McGrady about this issue in March last year, just after the state election and his appointment to this portfolio. I had written numerous letters to state government ministers—transport and police—calling for a response. There have been deputations. There have been ongoing meetings across the community, with very good proactive community coordination among the police, Queensland Transport, council rangers and council representatives. In fact, my predecessor Bruce Laming and I chaired a group called Car Offences Reduction and Enforcement, or CORE.

While this was a very proactive and cooperative approach for the community to address these issues at the local level, we found that it would work for a time in communities such as Mooloolaba but then the problem would shift down the road to other communities such as Alexandra Headland. After talking with other people throughout this state and interstate, I have found that that is in fact one of the problems with excessive and offensive car noise, hooning and dangerous driving—that is, it is a very portable problem. The issue can be dealt with effectively in one community but then it shifts into another community and it starts all over again.

One of the most frustrating aspects of this issue is that there have been significant increases in fines previously. The courts have even taken away scores of licences and magistrates have imposed fines of up to \$600 because they recognise the seriousness of the issue. However, the problem still exists. There have been numerous operations on the Sunshine Coast, yet it is still a problem. It was finally recognised that there has to be another option in addition to the fines and the loss of licence, which are still substantial. That option of course is confiscation for repeat offenders. This is not an option that should be taken lightly. But it has to be recognised that, despite the efforts of the community and the hundreds and thousands of hours spent on the issue by police and transport officers, this still continues to be a significant issue in the community.

Those who pooh-pooh this as being a serious problem obviously do not live where these problems occur. There is not one member of the parliament who does not grasp the fact that this is a significant issue across our community. We are not talking about legitimate motor sports loving young people; it is a handful of hardcore repeat offenders. They are the ones that the severity of these fines is meant to address. I do have some questions about implementation, although I acknowledge that there is a review period built into the legislation.

I want to touch on a few issues. With all the crackdowns and the various fines, it has only recently been brought to my attention that some of those offenders did not actually have those fines enacted. There are problems with the State Penalties Enforcement Registry in that, as at April this year, there is about \$185 million in outstanding fines. I can only imagine that a significant proportion of those unpaid fines come from those people who have committed serious offences on the roads such as we have seen in the Sunshine Coast community and other communities throughout Queensland. I believe we should see that the fines on the books and those handed out by the courts are in fact enacted with follow up so that people who are fined have to pay the penalty and are not let off the hook. This is too serious an issue. I raise that as a matter for the attention of the minister, because for the existing fine system to be effective we need to know that that is happening.

Another issue I want to raise with the minister while he is in the House is that of communication. Many of the worst offenders have mobile phones and can communicate with each other readily. Even when undercover vehicles were brought in specially from outside the Sunshine Coast—vehicles that were not known to offenders; we tried to keep those undercover, and that was well and good—there was still that communication occurring between the worst offenders. They are actively scanning police radios. It is time that the police right throughout Queensland had a communication system that cannot be scanned by other people, because that undermines the work of police in keeping our communities safe.

I know that might make it a lot duller for the newsrooms that still actively scan police radios or tow truck operator radios, but the real issue is to ensure that the police have the best tools to do the job and that their tasks are not being undermined by those who are breaking the law and actively listening in to where police operations are. It is time that we had a system right throughout Queensland that cannot be scanned, and I believe that there are systems in some parts of Brisbane that cannot be scanned. We need to see that right throughout Queensland and certainly on the Sunshine Coast so that there is not an undermining of police efforts in this regard.

Last year, I also convened a meeting of motor sports stakeholders with police and council representatives on the Sunshine Coast to try to identify a commonality of interests and to work together to form a steering committee to identify a site for a multi motor sports facility. In bringing these groups together, some were 'carters and some were street club participants in other motor sports. I hope that we will find a synergy to work together on a combined project, as often they face the same difficulty of being unable to secure land which does not intrude on residential areas and has appropriate noise buffers. As I have told motor sports lovers on the Sunshine Coast, I believe that there is a need for a Sunshine Coast motor sports facility, and I will support their efforts to establish one.

However, for one to succeed in the short term and the long term this project must be driven by community groups and needs their commitment to do the groundwork, just like any other sporting group. I acknowledge that some groups are further along this track than others, and not all groups which were represented at that original meeting that I convened may find that the interests of their sports are served by being combined with others. I certainly will support the efforts of those groups as they seek to bring a combined effort—or for some a singular effort—within those projects. I am sure that as we take that to the state government we will be able to ask for its assistance, because there is a legitimate case for alternative sporting venues for motor sports lovers.

This legislation seeks to address those who are repeat offenders who do not understand that their actions are dangerous and that they are having an environmental impact. The No. 1 impact is upon people. I have talked to numerous people who have been very distressed by repeated noise. But by the time the police are able to arrive on the scene the offender has gone and they do not know the registration number of the offending vehicle. It is this repetitive pattern that breaks people's sleep.

This also has a terrible impact upon the tourism industry, and it is certainly something that the Sunshine Coast and the Gold Coast share. It is all very well during good times in tourism to put up with a problem, but we really do not want people saying that they will never come back to a particular area because of the terrible experience they have had in the late hours of the night or the early hours of the morning—repeated car noises so loud that they were unable to sleep. This is a significant and serious problem. I have also talked to local residents who have said that they could no longer put up with the noise, so they have shifted. Some of them were not even living on the main road but were one street back.

There is no doubt that the effective implementation of these laws will require adequate numbers of police and Queensland Department of Transport officers. There are already laws on the books with regard to vehicle compliance. In order to have Transport Department officers who are able to operate out of hours, knowing that they have to operate with the police, we need the necessary resources. I urge the Police Minister to talk with his colleague the Transport Minister. I have written to that minister about this issue, because we also need adequate Transport Department officers. They are the best people to deal with some of the compliance issues and to effectively issue the appropriate notices.

There is an issue also in relation to being able to deal effectively with the extent of noise and the measurement of noise. I seek the minister's advice as to how this legislation will overcome problems of determining whether noise is excessive and whether police officers' opinions are sufficient or whether other measuring equipment is needed. In other words, do we need new technology to address this, or is the law satisfactorily drafted to give police officers the power to fine people for excessive noise without their being challenged in the courts in a way that undermines the law?

I also want to ask the minister about the confiscation provision in relation to boom boxes. I laud the intention of this provision, which relates to the added problem of extremely loud music in the dead of night—except that it is not so dead when a boom box is creating a significant environmental impact. I would like the minister to explain how the confiscation provision will apply to a boom box that is attached to a car. Does this mean that the vehicle also gets confiscated? What is the actual application of that particular provision?

I believe that there is a need to consider the comparable penalties that we are applying here to this significant problem and those that we apply to drink-drivers. If it is good enough for us as a parliament to say that repeat offenders under this legislation—those hoons who are wrecking local communities and endangering the lives of others on the roads—should be subject to the ultimate penalty of having their cars taken from them, should we also be looking at similar penalties for serious offences of drink-driving? I believe that this is a very legitimate issue. If we are going to take cars from repeat and serious hoons we should also be considering those serious drink-driving offences and saying, 'Isn't it time we applied a similar penalty?' It is a disgrace that this problem is taking lives and affecting our communities.

I welcome this legislation. I note that there are still some aspects on which we need assurance as to how it will be applied and implemented. We certainly need to know that we have police and transport officers available to enforce the legislation. I support the additional option of confiscation, but I point out that there are other transport offences and offences against our communities, such as drink-driving, and perhaps we need to consider confiscation of vehicles in those cases, as well.
